

SENATE JOINT RESOLUTION 351

By Lamar

A RESOLUTION to reaffirm the General Assembly's intent to protect pregnant people and their friends and family.

WHEREAS, no one should fear arrest, prosecution, or civil penalties for experiencing or helping a loved one with a pregnancy loss; and

WHEREAS, pregnancy can result in a variety of outcomes, including live birth, miscarriage, stillbirth, and abortion; and

WHEREAS, the abortion laws of the State of Tennessee protect pregnant people from prosecution; and

WHEREAS, Tennessee has the third-highest number of cases in which a pregnant person is charged with a crime relating to their pregnancy outcomes in the United States; and

WHEREAS, the American Bar Association and the American Medical Association oppose the criminalization of pregnant people for their pregnancy outcomes, including miscarriage, stillbirth, abortion, or other pregnancy outcome; and

WHEREAS, in 2016, the members of the legislature decided soundly that prosecuting pregnant people for drug use goes against public health and medical standards, allowing the so-called fetal assault law to sunset and guaranteeing protection from prosecution in the criminal statutes; and

WHEREAS, family and friends are key social support networks for pregnant and parenting Tennesseans, helping pregnant and parenting Tennesseans with a variety of emotional and physical supports; and

WHEREAS, pregnancy loss should not be made more complicated or difficult by criminal or civil penalties for those experiencing the loss and their loved ones; and

WHEREAS, laws that result in the criminalization of people experiencing pregnancy loss and their loved ones force them to make impossible decisions about whether to break the law and face criminal penalties or abandon their loved ones in a time of need; and

WHEREAS, laws that criminalize pregnancy outcomes disproportionately impact low-income Tennesseans and Tennesseans of color; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED THIRTEENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that it is our intention that the laws of this State not be used to criminalize pregnant people and their loved ones for their pregnancy outcomes.